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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

1501 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1501

EUGENE A. CONTI, JR.
SECRETARY

February 18, 2011

228 853

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Subject: Ex Parte No. 705, Competition in the Rail Industry

Dear Ms. Brown:

Please consider this letter as notice of the North Carolina Department of Transportation's (NCDOT's) intent to participate in the above-referenced proceeding. The regulatory program of the Board with respect to competitive access is profoundly important to the State of North Carolina and its citizens. On behalf of the State of North Carolina, let me say that I am pleased that the Board has initiated this proceeding to determine whether changes are needed to current competitive access and related policies of the Board.

The Board's actions will affect many aspects of rail competition of critical importance to the State and its goals relative to logistics and freight rail transportation. Among these are: (1) development of a competitive pricing structure for the rail component of intermodal service at the Port of Wilmington; (2) establishment of a competitive pricing methodology for freight service to the port at Morehead City and to the North Carolina Global TransPark (GTP); (3) determining, in an era of public-private partnerships (PPPs), the proper method of maximizing the value of the public investments in publicly-assisted ventures, such as the Charlotte/Douglas Airport intermodal (rail-truck) and the GTP facilities; (4) determining and implementing competitive pricing structure for short-haul intermodal and short-line rates; and (5) assuring the public transparency in the pricing process and access to competition for rail customers.

NCDOT will, in accordance with the Board's amended scheduling Decision of February 4, 2011, notify the Board of its speaking representative and/or submit written materials by June 10, 2011.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, reading "Eugene A. Conti, Jr.".

Eugene A. Conti, Jr.

EAC/pbs

Cc: Governor Beverly E. Perdue